

Public Safety Coordinating Council

January 30, 2024 Meeting Minutes

**Council Members (or designee) in Attendance:**

Commissioner Bill Proctor	County Commission
Chief Judge Francis Allman	Judiciary
Judge Augustus Aikens	Judiciary
Asst. Sheriff Argatha Gilmore	Leon County Sheriff's Office
Rebecca Kelly-Manders	ReFire Culinary
Robert McNamara	Public Defender's Office
Teresa Broxton	Office of Intervention and Detention Alternatives
Brylan Jacobs	Florida Department of Corrections
Owen McCaul	Assistant State Attorney
Anne Meisenzahl	Big Bend AFTER Reentry Coalition
Nancy O'Farrell	NAMI Tallahassee

**Council Members Not in Attendance:**

**Also, in attendance:**

Shington Lamy	County Administration
Norman Mack	Leon County Sheriff's Office
Kimberly Holland	Office of Intervention and Detention Alternatives
Elizabeth Garber	Trial Court Administrator, 2 <sup>nd</sup> Judicial Circuit
Kenneth Kent	Leon County Clerk of Court & Comptroller
Paula Watkins	Chief Deputy Court Administrator, 2 <sup>nd</sup> Judicial Circuit
Andrea White	Court Administration, General Counsel
Ina Hawkins	Detention Review Coordinator
Nelson Andrews	Probation Supervisor
Blanca Chavez-Delgado	Judicial Assistant, Judge Ashenafi Richardson
Amanda Chandler	Apalachee Center Inc.
Kevin Warren	CEO, We Are All We Need, Inc.

The meeting was called to order at 4:00 PM

#### Issues Discussed

I. Approval of the December 5, 2023, Meeting Minutes

Owen McCaul moved to approve the minutes from the December 5, 2023, meeting; seconded by Chief Norman Mack.

*The motion passed 10-0.*

II. Election of Chair and Vice Chair for 2024

Commissioner Proctor requested that Ms. Broxton present this item. Ms. Broxton shared that pursuant to the Florida Statute governing the PSCC; the Council shall elect, from among its membership, a Chairperson and Vice-Chairperson, to serve a one-year term. Ms. Broxton called for nominations for Chairperson. Owen McCaul nominated Commissioner Proctor for Chairperson which was seconded by Asst. Sheriff Argatha Gilmore. *The motion passed 10-0.*

Ms. Broxton called for nominations for Vice-Chair. Ms. Broxton nominated Asst. Sheriff Gilmore for Vice-Chairperson which was seconded by Commissioner Proctor. *The motion passed 10-0.*

III. Leon County Detention Facility Population Updates and Discussion- Asst. Sheriff Gilmore, Leon County Sheriff's Office

Chief Mack presented the Leon County Detention Facility (LCDF) Status Report for 1/29/2024 (Attachment #1). He reported that the LCDF population was 928 as of 1/29/2024 and there are eight juveniles being housed in Jefferson County.

Commissioner Proctor commented that the Council grapples with knowing that the system is efficient in processing cases or if it is stagnated. He stated the system is efficient with processing cases from arrest to first appearance, and while the numbers have decreased, we have individuals in custody with pending cases for multiple years. Commissioner Proctor inquired how do we identify issues that may be contributing to longer periods until case disposition.

Commissioner Proctor commented that the population of the detention facility is at 928 which is a relatively decent number and provides the detention facility administration the flexibility to move individuals within the facility as necessary.

Mr. McNamara inquired if the defendants identified on the table with various bond amounts, also have other pending charges with no bonds or detainers holding them in custody. Ms. Broxton shared that the report was developed to identify individuals who have no other issues holding them in custody except for the bond.

Commissioner Proctor commented that the cases pending for two- and three-years should be removed from the average length of custody or placed into a special category because the court has not been able to dispose of their cases in this period and they are creating a false picture. He inquired if it is legal for the Council to set a goal for the detention facility population such as 750 individuals, or other target goal, and how do we incentivize the process to meet a specified target population.

Judge Aikens commented that a goal could be established; however, there are a multitude of factors to be considered which would determine whether the goal is attainable. Mr. McCaul stated that each case must be considered on a case-by-case basis.

Commissioner Proctor responded that we must continue to seek processes to lower the detention facility's population. He inquired of processes and practices that occurred during the COVID-19 Pandemic to result in a lower population, and whether we could resume/continue those processes/practices to further reduce the detention facility's population.

Ms. Broxton shared that the consultants have developed their preliminary report and are in the process of meeting with the respective constitutional offices including Court Administration, the Leon County Sheriff's Office, the Public Defender's Office, and the State Attorney's Office. During these meetings the consultants are receiving feedback to formulate recommendations to reduce and sustain a manageable population for the detention facility. Ms. Broxton advised that the consultants should be presenting their final report to the Board during the April meeting.

Anne Meisenzahl inquired of the 152 defendants there for more than a year, how long have they been in custody and what types of offenses are they charged with.

Commissioner Proctor discussed a cost-benefit analysis, weighing the costs of an individual remaining in custody at a daily rate for housing that exceeds the set bond amount. He inquired which is more fiscally responsible, to house the individual or post the bond amount. Ms. Meisenzahl shared that the Tallahassee Bail Fund assists individuals in posting bonds they cannot afford and provides the individual with support and resources to assist with employment, attending court appearances, etc. Commissioner Proctor requested that a representative from the Tallahassee Bail Fund be invited to a future meeting to share their services with the Council members.

IV. Uniform Bond Schedule and Pretrial Release Procedures – Administrative Order 2023-03 – Elizabeth Garber, Trial Court Administrator

Chief Judge Allman advised the Council that he and Trial Court Administrator (TCA) Garber were available to answer any questions related to the new Administrative Order. TCA Garber shared that the legislature passed language during the past session directing the Supreme Court to develop a statewide uniform bond schedule. As a result, the Supreme Court appointed a committee consisting of 7 to 8 chief judges from around the state to draft the statewide bond schedule and make recommendations to the Supreme Court for consideration in its implementation. The Supreme Court issued the Administrative Order on 12/17/2023 which became effective 1/1/2024. The legislation does not allow Chief Circuit Judges to establish a bond schedule with lower bond amounts than the statewide schedule. The Chief Circuit Judges do have authority to increase the bond amounts. Chief Judge Allman issued the local Administrative Order 2023-03, Uniform Bond Schedule and Pretrial Release Procedures on 12/30/2023. TCA Garber shared that the Supreme Court held a hearing on this matter and heard input from numerous organizations such as the Florida Sheriff's Association, property appraiser, bail bondsman industry, attorney general, etc. regarding their thoughts on the workgroups recommendations prior to issuing the administrative order.

Judge Aikens shared that the bond schedule requires individuals charged with dangerous crimes pursuant to 907.041 Florida Statute be held for a first appearance hearing. At first appearance the judge has the discretion in setting the bond amount(s).

Commissioner Proctor inquired about the cultivation of black bail bondsman considering the higher percentage of incarcerated individuals are black. Chief Judge Allman and TCA Garber advised that the judiciary nor court administration have any role as it relates to the bail bondsman industry. Chief Judge Allman commented that he is not aware of any judge that wants to hold people in jail and that the process of setting a bond amount is an analysis that is conducted according to criminal processes and the judge uses their discretion in setting a bond. He further advised once the case is assigned to a division, then the defense counsel can motion the court for a bond reduction or set the matter for trial.

V. PSCC Workgroup Update – Teresa Broxton, IDA Director

Ms. Broxton shared an update on the PSCC workgroup's progress in identifying recommendations for the FY 23/24 diversionary funds. The work group has meet twice and the consensus is to utilize the funds to assist justice involved individuals with securing housing. The workgroup is still working through the process with internal departments in the development of a plan. The next step is to schedule one final meeting with the workgroup to present a formalized plan to the PSCC and, if approved, then taking an agenda item to the Board for final approval.

Ms. Meisenzahl inquired of who would be eligible, individuals being released from DOC or strictly the LCDF. Asst. Sherriff Gilmore advised that the workgroup was focused on the program concept and has not made that determination at this time; however, looking at the population of the detention facility, it would be the priority.

Ms. Meisenzahl inquired who would be responsible for the management of the funds and administrative processes. Ms. Broxton advised that the workgroup is still working on the details and will have more information after discussions with administration and internal departments.

VI. Court Administration Reports- Ina Hawkins, Detention Review Coordinator

Ms. Hawkins presented the Criminal Case Management Monthly Report for January 30, 2024 (Attachment #2).

VII. Electronic Monitoring Reports- Teresa Broxton, IDA Director

Ms. Broxton presented the Electronic Monitoring Program Report for December 2023 (Attachment #3).

VIII. Other Business:

None

Next Meeting: February 27, 2024

4:00 PM

Commission Chambers, 5<sup>th</sup> Floor, Leon County Courthouse